

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

ROSY GIRON DE REYES, *et al.*,

Plaintiffs,

vs.

WAPLES MOBILE HOME PARK
LIMITED PARTNERSHIP, *et al.*,

Defendants.

Civ. No. 1:16-cv-00563 (PTG/WBP)

**PARTIES' JOINT NOTICE OF THE DENIAL OF
DEFENDANTS' PETITION FOR CERTIORARI /
JOINT STATUS REPORT**

As directed by this Court's July 2, 2024 Order temporarily staying this action pending resolution of Defendants' writ of certiorari (ECF 501), Plaintiffs Rosy Giron de Reyes, Jose Dagoberto Reyes, Felix Alexis Bolaños, Ruth Rivas, Yovana Jaldin Solis, Esteban Ruben Moya Yrapura, Rosa Elena Amaya, and Herbert David Saravia Cruz ("Plaintiffs"), and Defendants Waples Mobile Home Park Limited Partnership, Waples Project Limited Partnership, and A.J. Dwoskin & Associates, Inc. ("Defendants," and together with Plaintiffs, "the Parties") hereby provide notice that the U.S. Supreme Court denied Defendants' certiorari petition on October 7, 2024, and jointly submit the following status report:

1. On October 7, 2024, the U.S. Supreme Court denied Defendants' certiorari petition. *See Exhibit A.*

2. On March 1, 2024, at this Court's request, the Parties filed a joint submission as to the outstanding issues for decision by the Court (ECF 449). In that submission, the Parties requested that the Court allow re-briefing and re-argument of motions in limine in light of the Fourth Circuit's decision in *Reyes II*; set a new trial date; and set a pretrial motions conference.

3. On March 11, 2024, this Court denied all pending pre-*Reyes II* motions in limine without prejudice and set a briefing schedule for the Parties to file renewed motions in limine.

4. Thereafter, the Parties filed pretrial motions which are identified in **Exhibit B**. These motions have been fully briefed and were pending a hearing when the Court issued its stay of the case pending the decision of the U.S. Supreme Court on Defendants' certiorari petition. The Parties are in agreement that a hearing on these pending motions should be set by the Court.

5. The Parties' respective objections to the Rule 26 pretrial disclosures and related filings were made nearly four years ago, remain pending, and are identified in **Exhibit C**.

- a. Defendants suggest that the Court direct the withdrawal of the Rule 26 pretrial disclosures and their resubmission after the Court rules on the pending motions. Defendants believe that this process may render moot many of the pending objections made by the parties four years ago.
- b. Plaintiffs suggest that the Parties be permitted to withdraw any Rule 26 objections to the extent they are rendered moot by the Court's rulings on the motions in limine. Plaintiffs do not believe that Defendants' suggestion of a Court order directing the re-submission of Rule 26 disclosures, and objections thereto, is necessary or a prudent use of time and resources.

6. Given the schedules of the Parties and their counsel, as well as the holiday season, the Parties submit that trial dates in the first quarter of 2025 would be appropriate subject to the Court's availability. To allow for sufficient time to prepare for trial and to incorporate the Court's rulings on the pending pretrial motions, the Parties submit that the motions hearing should be scheduled at least 60 days before the new trial date.

Dated: October 15, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2024, I caused a copy of the foregoing to be served on the Clerk of Court and all counsel of record via CM/ECF.

/s/ Granville C. Warner
Granville C. Warner